



CITY OF DURHAM | NORTH CAROLINA

Date: March 4, 2014

To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: Contract Amendment Increasing 2013 Street Repaving Project – ST-265

Executive Summary

The City awarded Contract ST-265 to FSC II, LLC, dba Fred Smith Company of Clayton, North Carolina, during the spring of 2013 in the amount of \$1,403,961.08. The Fred Smith Company has completed the list of streets originally included in the contract and did not use all of the authorized funding for the initial scope of work. There is \$637,861.85 remaining in the contract, which includes \$127,632.83 of contingency. Staff wishes to spend the remaining funds on additional repaving work that was not included in the original contract. Further, because the contract provided very favorable pricing, staff recommends extending the original contract by 50% as authorized under Section 10.01C "Authorized Changes in the Work of the Engineers Joint Contract Documents Committee, C-700 Standard General Conditions of the Construction Contract." This 50% contract extension will use FY 2014 operating funds.

Together, these two measures will enable the City to take advantage of favorable pricing, resurface more roads more quickly, and to continue working with a contractor performing to City expectations. This work will be in addition to a separate 2014 street repaving contract, which will utilize approximately \$1.2M of leftover 2010 Bond funds.

Recommendation

To authorize the City Manager to execute Contract Amendment No. 1 for ST-265, 2013 Street Repaving Project in the amount of \$701,980.54, increasing the total contract to \$2,105,941.62.

Background

The ST-265 project, 2013 Street Repairs and Repaving, provides for the milling, patching, utility adjustments, asphalt paving, and pavement markings at various locations throughout the City of Durham. Approximately 11 lane miles of streets were repaved in the summer of 2013.

Due to favorable paving conditions and a conservative engineer's estimate, additional funds remain in the initial contract. Staff proposes to use those funds to repave the following locations:

Facility Name	Pave Limits	Length (lf)
MLK (Westbound)	MLK - (From Fayetteville St - Roxboro St)	6263
MLK (Eastbound)	MLK - (From Fayetteville St - NC 55)	6432
Buchanan Blvd	Buchanan Blvd - (From Chapel Hill St to Club Blvd)	7372

In addition to allocating the remaining funds, staff would like to take advantage of favorable pricing and the opportunity to resurface more roads more quickly by extending the current contract as opposed to soliciting for new bids. Therefore we request the ability to execute a contract amendment in the amount of \$701,980.54. The additional funds will be used to pave the following streets:

Facility Name	Pave Limits	Length (lf)
S Briggs Ave	S Briggs Ave - (From E Lawson St to Person St)	4325
N Hyde Park Ave	N Hyde Park Ave - (From Juniper St to Elmo St)	345
N Hyde Park Ave	N Hyde Park Ave - (From Liberty St to Holloway St)	685
N Hyde Park Ave	N Hyde Park Ave - (From E Main St to Southgate St)	1820
S Hyde Park Ave	S Hyde Park Ave - (From E Main St to Angier Av)	640
Liberty St	Liberty St - (From N Dillard St to N Elizabeth St)	1160
Liberty St	Liberty St - (From N Elm St to Barnes Av)	1260
Liberty St	Liberty St - (From N Maple St to Spruce St)	195
Liberty St	Liberty St - (From N Driver St to N Guthrie Ave)	775
Cook Rd	Cook Rd - (From Fayetteville St to MLK Jr Pw)	5740

Issues and Analysis

Extending the contract by 50% enables the City to take advantage of favorable pricing, resurface more roads more quickly, and to continue working with a contractor performing to City expectations.

Alternatives

Council could choose not to approve the request for a contract extension. Should this occur the City will advertise a new repaving project which may result in the City paying higher unit prices for repaving than what the City is currently paying in ST-265, as well as delay when the streets can be paved. The remaining funds in the existing contract would revert to the Powell Bill fund balance, and could be programmed in future contracts. A separate contract would have to be let which would be in addition to the ST-269, 2014 Street Repaving Contract.

Financial Impact

Funds for this project extension are budgeted for in the following account:

Construction

Street Maintenance/Powell Bill Eligible	0L010100-732001	\$701,980.54
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ST-265 Total Extension

\$701,980.54

SDBE Summary

The Equal Opportunity/Equity Assurance Department reviewed the original bid submitted by FSC II, LLC, dba Fred Smith Company of Clayton, North Carolina to determine compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project are MSDBE 4% and WSDBE 2%. It was determined that FSC II, LLC, dba Fred Smith Company was in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

The Equal Opportunity/Equity Assurance Department has been informed of the intent to extend the contract. Modifications to the EO/EA goals are not required. FSC II LLC, dba Fred Smith Company of Raleigh, North Carolina will subcontract with the following firms for work in this amendment.

Firm	ID	City/State	Amount	% of Contract
Covenant Trucking Company, Inc.	MSDBE	Youngsville, NC	\$28,079	4%
Royals Contracting, Inc.*	DBE/WBE	Raleigh, NC	\$ 14,039	2%

*Royals Contracting, Inc. is certified as a DBE/WBE with the North Carolina Department of Transportation and therefore can be used to meet the woman goal for this project.

WORKFORCE STATISTICS

The workforce statistics FSC II, LLC, dba Fred Smith Company are as follows:

Total Workforce	473	
Total Females	27	6%
Total Males	446	94%
Black Males	108	23%
White Males	206	43%
Other Males	132	28%
Black Females	3	1%
White Females	22	4.5%
Other Females	2	0.5%